

REMARKS

Claims 54-100 are pending.

Claim 54 has been amended to recite that the solution contained by the inflatable and expandable means has a pH of about 1 to about 5.5. Support for this amendment is found in the specification as filed at least at page 11, line 26.

Claims 57 and 58 have been amended to recite that the second component can be acetic acid. Support for this amendment is found in the specification as filed at least at page 11, line 29.

No new matter has been added. Applicants reserve the right to claim the subject matter of any canceled, amended or withdrawn claim or any other unclaimed subject matter in one or more related applications.

The Examiner has required restriction under 35 U.S.C. § 121 to one of the following groups:

- Group I. Claims 54-67, drawn to an inflatable and expandable gastric tube;
- Group II. Claims 68-78, drawn to an inflatable and expandable catheter;
- Group III. Claims 79-86, drawn to a method for treating a nosocomial infection; and
- Group IV. Claims 87-100, drawn to an invasive medical device kit.

Preliminarily, Applicants respectfully submit that Group I (claims 54-67) is not limited to an inflatable and expandable gastric tube and that Group II (claims 68-78) is not limited to an inflatable and expandable catheter. Rather, Groups I and II are directed to certain devices for insertion in a human or animal body or body cavity.

In addition, Applicants note that previously added claims 95-97 depend from claim 54 and, accordingly, are believed to fall within Group I.

In response to the restriction requirement, Applicants elect Group I. Applicants believe that claims 54-67 and 95-97 read on the elected group.

It is estimated that no fee is due in connection with this response. In the event that any fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Date: June 12, 2009

Respectfully submitted,

Anthony M. Insogna, Res. No. 35,203
By: Michael J. Bruner, Res. No. 47,458

By: Michael J. Bruner (Reg. No. 47,458)

JONES DAY

222 East 41st Street

New York, New York 10017

(404) 581-8614

For: Anthony M. Insogna (Reg. No. 35,203)

JONES DAY

12265 El Camino Real, Suite 200

San Diego, California 92130

(858) 314-1130